

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34316 of 2025

Arising Out of PS. Case No.-388 Year-2023 Thana- COMPLAINT CASE District- Lakhisarai

Md. Rizwan, S/O Md. Zulfekkar @ Md. Zulfikar @ Md. Karu R/OI Village-
Moulangar, PS- Surajgarha, Distt- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aamna Khatoon, W/O Md. Rizwan, D/O Ikrar Ansari R/O Village-
Moulanager, PS-Surajgarha, Distt-Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Khushi Awadh, Advocate.
For the State	:	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Complaint Case No. 388C of 2023, dated 17.08.2023 filed for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act, but process has been issued under Section 498A of the Indian Penal Code.

3. The prosecution case as emerging from the Complaint case filed by the informant/wife is that soon after the marriage, there was illegal demand of dowry and on account of non-fulfillment of the same, she has been subjected to cruelty by



the petitioner and his family members. It is further alleged that personal belongings as well as son of the Complainant was snatched by the petitioner and his family members and ultimately, she was ousted from the matrimonial home.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the petitioner has married the Complainant who was a divorced lady and after the marriage, the marriage is not working properly and, hence, on account of non-working of the marriage, this false complaint has been filed against the petitioner. He also submits that the petitioner has not snatched the belongings of the complainant. In fact, she left the matrimonial home on her own leaving behind the child.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances,



this petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned court below in connection with Complaint Case No. 388C of 2023, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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